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| 10/802,163 | 03/16/2004 | Ramanathan Kasiviswanathan | 200209086-1 | 4154 |

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| EXAMINER |
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OYEBISI, OJO O

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| ART UNIT | PAPER NUMBER |
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3694

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01/28/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/802,163

Applicant(s)

KASIVISWANATHAN ET AL.

Examiner

OJO O. OYEBISI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

In the amendment filed on 10/19/2007, the following have occurred: Claims 5, 10, and 13 have been amended, new claim 19 has been added, and claims 1-19 are now pending in this application.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The applicant recites the limitation "determining a need for transmitting the primary transaction request to another host." The examiner contends that there would be no need for the applicant's system to make this determination since each transaction request is already mapped to a specific destination host in the routing table of the switch, thus transmitting the primary transaction request to another host would not be feasible, what might be feasible is "determining a need for transmitting the primary transaction request to another node or another communication path" in case the first node or communication path is busy or overloaded. Clarification is needed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Ofir et al (Ofir hereinafter, US PAT: 7,219,149).

Re claims 1, 2-4. Ofir discloses a method of handling a financial transaction in a transaction switch, the method comprising the steps of: receiving a primary transaction request from an initiator (see col.3 lines 37-41); identifying a host from a routing table for receiving the primary transaction request based on details provided in the primary transaction request (see fig.4 element 410, also see fig.5 element 510, also see col.24 lines 1-23); transmitting the primary transaction request to the identified host (i.e., the host receives the card authorization request, see col.30 lines 15-25, also see col.24 lines 14-24); receiving a response from the identified host (i.e., the host responds and the response is returned to the service node, see col.30 lines 18-22, also see fig.4 element 412), determining a need for transmitting the primary transaction request to another host (i.e., **the Client Node selects a route to forward the transaction based on, in part, the service name, link capacity, configuration, and processor loading.**

Assuming it is forwarded directly to a Service Node 25b, the Service Node 25b then forwards the transaction to the Financial Transaction Processor 36 according to the protocol used to interconnect the Host 36 and the Service Node 25b. The Host and Service Node are directly connected via a private line 34, see col.30 lines 5-20); and

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interpreting the response received and transmitting a final outcome back to the initiator (see fig.5 elements 530, 532 and 531, see col.14 lines 10-27, see col.30 lines 25-45)

(see col.29 line 20-col.30 line 60, see the abstract and the summary of the invention).

Re claims 5, 6-9. Ofir discloses a method of handling a composite financial transaction in a transaction switch, the steps comprising: receiving a primary transaction request from an initiator (see col.3 lines 37-41); identifying the transaction as a composite transaction wherein the composite transaction comprises a transaction type and a payment type (i.e., Ofir states that the Terminal Adapter determines the appropriate Host to relay the financial transaction information based on information provided by the Network 33. Thus, if the information provided to network 33 states that the transaction is multi-host, inherently this transaction would be relayed to the appropriate hosts, see col.16 lines 60-67, also see simple transaction and sessions transaction col.15 lines 1-65); preparing a plurality of transaction packets for transmission to a plurality of hosts based on the transaction type and the payment type (see col. 30 lines 10-15); receiving a plurality of responses at the switch from the plurality of hosts (i.e., the host responds and the response is returned to the service node, see col.30 lines 18-22, also see fig.4 element 412), and interpreting the plurality of responses and transmitting a final outcome to the initiator (see col.30 lines 20-25) (see col.30 lines 25-45, see col.29 line 20-col.30 line 60, see the abstract and the summary of the invention).

Re claims 10, 11-12. Ofir further discloses a transaction switch comprising: means for processing a transaction request (see fig.1 –fig.4); means for identifying the transaction as multi-host (i.e., Ofir states that the Terminal Adapter determines the appropriate Host

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to relay the financial transaction information based on information provided by the Network 33. Thus, if the information provided to network 33 states that the transaction is multi-host, inherently this transaction would be relayed to the appropriate hosts, see col.16 lines 60-67, also see simple transaction and sessions transaction col.15 lines 1-65); means for identifying the transaction as composite (i.e., Ofir states that the Terminal Adapter determines the appropriate Host to relay the financial transaction information based on information provided by the Network 33. Thus, if the information provided to network 33 states that the transaction is multi-host, inherently this transaction would be relayed to the appropriate hosts, see col.16 lines 60-67, also see simple transaction and sessions transaction col.15 lines 1-65); means for identifying the transaction as both multi-host and composite (i.e., Ofir states that the Terminal Adapter determines the appropriate Host to relay the financial transaction information based on information provided by the Network 33. Thus, if the information provided to network 33 states that the transaction is multi-host, inherently this transaction would be relayed to the appropriate hosts, see col.16 lines 60-67, also see simple transaction and sessions transaction col.15 lines 1-65); means for identifying a first host for processing the transaction (see col.14 lines 62-67, see fig.12A) ; and means for interpreting a response from the host after processing the transaction and determining a need for further processing (see fig.5 elements 530, 532 and 531, see col.14 lines 10-27, col.30 lines 20-25) (see col.30 lines 25-45, see col.29 line 20-col.30 line 60, see the abstract and the summary of the invention).

Re claims 13, 14-17. Ofir discloses a financial transaction handling system comprising:

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an initiator for initiating a primary transaction request (see fig.12b element 1289); a transaction switch in communication with the initiator (see fig.1 element 24); and at least one host in communication with the transaction switch for processing the transaction request (see fig.4 element 404 and fig.5 element 504); wherein the transaction switch comprises: means for processing the primary transaction request (see fig.3-fig.5, also see col.3 lines 35-60); means for identifying the primary transaction request as multi-host or composite or both type of request (see col.30 lines 1-15, also see col.29 lines 55-65); means for identifying the at least one host for sending the primary transaction request thereto (see col.29 lines 62-66, also see col.30 lines 8-20, also see fig.5 element 510) ; and means for interpreting a response from the at least one host and determining a need for further processing (see col.30 lines 20-25) (see col.30 lines 25-45, see col.29 line 20-col.30 line 60, see the abstract and the summary of the invention).

Re claims 18, 19. Ofir further discloses a program storage medium readable by a computer, tangibly embodying a program of instructions executable by the computer to perform method steps for handling a financial transaction in a transaction switch (see the abstract and the summary of the invention), the method steps comprising the steps of: receiving a primary transaction request from an initiator (see col.3 lines 37-41); identifying a host from a routing table for receiving the primary transaction request based on details provided in the primary transaction request (see fig.4 element 410, also see fig.5 element 510); transmitting the primary transaction request to the identified host (i.e., the host receives the card authorization request, see col.30 lines 15-25);

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receiving a response from the identified host (i.e., the host responds and the response is returned to the service node, see col.30 lines 18-22, also see fig.4 element 412), determining a need for transmitting the primary transaction request to another host; and interpreting the response received and transmitting a final outcome back to the initiator (see col.30 lines 25-45) (see col.29 line 20-col.30 line 60, see the abstract and the summary of the invention).

Response to Arguments

Applicant's arguments filed on 10/19/2007 have been fully considered but they are not persuasive. The applicant argues in substance that Ofir fails to disclose plurality of hosts. Contrary to the applicant's assertion, Ofir explicitly makes this disclosure (see fig.12 A elements 1293, see fig.5 element 510 "route simple request to nearest, least busy host." Note if there is only one host then why route to the nearest and least busy host as stated in fig.5 element 510, certainly this is an evidentiary statement that Ofir teaches plurality of hosts).

The applicant further argues in substance that Ofir fails to teach "determining a need for transmitting the primary transaction request to another host." Contrary to the applicant's assertion, Ofir explicitly makes this disclosure (i.e., **the Client Node selects a route to forward the transaction based on, in part, the service name, link capacity, configuration, and processor loading.** Assuming it is forwarded directly to a Service Node 25b, the Service Node 25b then forwards the transaction to the Financial Transaction Processor 36 according to the protocol used to interconnect the

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Host 36 and the Service Node 25b. The Host and Service Node are directly connected via a private line 34, see col.30 lines 5-20).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to OJO O. OYEBISI whose telephone number is (571)272-8298. The examiner can normally be reached on 8:30A.M-5:30P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAMES TRAMMELL can be reached on (571)272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

O.O



ZELLA COLBERT
PRIMARY EXAMINER